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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LYDIAN PRIVATE BANK,
d/b/a VIRTUALBANK,

Plaintiff,

-against-

STEVEN M. LEFF, RICHARD A. LEFF,
RACHEL M. LEFF, and NATIONAL
SETTLEMENT AGENCY, INC.,

Defendants.

USDC SDNY
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07 Civ. 8173 (LTS)(MHD)

ECF Case

**ORDER TO SHOW CAUSE
WHY DEFAULT JUDGMENT
SHOULD NOT BE ENTERED**

Upon the accompanying declarations of Charles R. Jacob III and Christopher T. Boldman, both dated November 27, 2007, and the exhibits thereto, and all other pleadings and proceedings herein, it is

ORDERED, that defendants National Settlement Agency, Inc. ("NSA") and Steven M. Leff show cause before this Court (Hon. Laura Taylor Swain), in Courtroom 17C, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on December 14, 2007, at 10:00 A.m., or as soon thereafter as counsel may be heard, why a judgment by default should not be issued in favor of plaintiff and against defendants NSA and Steven M. Leff, jointly and severally, pursuant to Federal Rule of Civil Procedure 55(b)(2)

and Local Civil Rule 55.2(b), in the amount of \$1,401,119.85 (not including interest to date from June 30, 2007 at the *per diem* rate of \$345.48); and it is further

ORDERED that service of a copy of this order and supporting papers: (1) by first class mail upon defendant NSA at its last known address (404 Park Avenue South, New York, New York 10016); and (2) by overnight delivery on defendant Steven M. Leff's counsel (Michael L. Soshnick, Esq., 190 Willis Avenue, Suite 112, Mineola, New York 11501), and counsel for defendants Richard A. Leff and Rachel M. Leff, on or before 5:00 p.m. on December 3, 2007, shall be deemed good and sufficient service thereof.

Attached hereto as Exhibit 1 is the proposed form of default judgment.

Dated: November 29, 2007



Hon. Laura Taylor Swain, U.S.D.J. 